

## **REMARKS**

Applicants reply to the Final Office Action dated July 08, 2010 within two months. Claims 12-29 are pending in the application and the Examiner rejects claims 12-29. Applicants cancel claims 19, 22, and 28 without prejudice to filing one or more other applications having one or more claims with similar subject matter. Support for the amendments may be found in the originally-filed specification. No new matter is entered with these amendments. Applicants respectfully request reconsideration of this application.

### **Claim Objections**

The Examiner objects to claims 12-29 due to various informalities. Claims 12, 15, 23, 24, and 29 are amended. Applicants believe the informalities have been rendered moot in light of the amendments.

### **Rejections under 35 U.S.C § 112**

The Examiner rejects claims 12-29 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Applicants respectfully disagree with these rejections, but Applicants present claim amendments in order to clarify the patentable aspects of the claims and to expedite prosecution.

Without acquiescence to the propriety of the rejection, the limitation “wherein the generation of the secondary transaction number (STN) does not use a signed digital certificate” has been removed. Also, claims 19, 22, and 28 are cancelled.

With regards to claims 20, 23 and 29, the specification recites “The cardholder’s statement may reflect, as desired, the secondary transaction number(s), the primary account number(s), all numbers or any combination of these numbers, (paragraph [0017]).” Also the claim 1 as filed recites “designating a non-currency based account as at least one primary account.” Stated another way, the cardholder’s statement may reflect any combination of account numbers, such as only an account other than the non-currency based account. For instance, only the secondary transaction number. Therefore, at least claim 1 and paragraph [0017] disclose or contemplate “the record of the transaction does not include the non-currency-based account identifier,” as variously recited by dependant claims 20, 23, and 29.

The specification discloses “The STN database 6 is updated to reflect the transaction information. The STN transaction system 18 (or alternatively the backend application service 8) substitutes the PCC 20 number for the STN 15 and forwards to the AR system II for billing” (paragraph [0060]). Also, the specification states “It should be appreciated that profile information may be stored in a MR database, STN database 6 or any other suitable database (step 260).” (paragraph [0103]).

Stated another way, the STN database, which stores STN profile information, may replace the stored STN with the PCC number. Therefore, at least paragraph [0060] and paragraph [0103] disclose or contemplate “wherein the record of the transaction in the STN profile includes the STN,” as variously recited by dependant claims 20, 23, and 29. in view of the above, Applicants respectfully request the Examiner reconsider and withdraw the rejection of claims 12-29 under 35 U.S.C. § 112.

### **Rejections under 35 U.S.C § 103**

The Examiner rejects claims 12, 13, 15, 16, 18-25 and 27-29 under 35 U.S.C. § 103(a), as being unpatentable over Franklin et al., U.S. Patent No. 5,883,810, (“Franklin”), in view of Carrithers et al., U.S. Patent No. 5,689,100 (“Carrithers”). Examiner rejects claims 14, 17 and 26 under 35 U.S.C. § 103(a), as being unpatentable over Franklin, in view of Carrithers, and in further view of Official Notice. Applicants respectfully disagree with these rejections, but Applicants present claim amendments in order to clarify the patentable aspects of the claims and to expedite prosecution.

Franklin generally teaches an online commerce system for facilitating online ecommerce over a public network using an online commerce card. Franklin specifically recites, “Several software components are stored in memory 42 including a browser 52, a button user interface (UI) 54, and a registration module 56. These software components load into volatile memory when launched and execute on the processor 40 atop the operating system 48. The browser software 52 originally exists on the customer computer 28, whereas the button UI 54 and registration module 56 are downloaded to the customer computer 28 during the registration process,” (col. 5, lines 56-63.) As stated in the background of the present application, at page 3 (and unlike the claimed invention), “Furthermore, (Franklin’s System) requires the customer to download modules to facilitate the registration and transaction processes.” The present

application states “For example, the present system may contemplate, but does not require: downloading of software modules; a digitally-based, non-physical commerce card; activation or deactivation of the secondary transaction number; and certain embodiments do not require the existing online customer to separately register for the service,” (application as filed, paragraph [0037], emphasis added). As such, Franklin explicitly teaches away from “wherein the generation of the secondary transaction number (STN) does not include downloading of software modules by a holder of the non-currency-based account,” as recited in independent claim 12 (emphasis added) and similarly recited by independent claim 15 and 24.

Carrithers generally teaches “a debit card system for implementing an incentive award program for a customer having participants,” (abstract.) Carrithers is silent to, and thus does not disclose or contemplate, “wherein the generation of the secondary transaction number (STN) does not include downloading of software modules by a holder of the non-currency-based account,” as recited in independent claim 12 (emphasis added) and as similarly recited by independent claim 15 and 24. Moreover, Carrithers teaches “along with the account number, host processor 112 would provide the participant award account balance in points,” (col. 7, lines 4-6.) Unlike the claimed invention, Carrithers puts the account security at risk by transmitting the account number along with the point balance.

Franklin, Carrithers, and the Official Notice assertions either alone or in combination do not disclose or contemplate at least “wherein the generation of the secondary transaction number (STN) does not include downloading of software modules by a holder of the non-currency-based account,” as recited in independent claim 12 (emphasis added) and as similarly recited by independent claims 15 and 24.

Dependent claims 13-14, 16-18, 20-21, 23, 25-27, and 29 variously depend from independent claims 12, 15, and 24. Therefore, Applicants assert that dependent claims 13-14, 16-18, 20-21, 23, 25-27, and 29 are patentable for at least the same reasons stated above for differentiating independent claims 12, 15, and 24 as well as in view of their own respective features. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of dependent claims 13-14, 16-18, 20-21, 23, 25-27, and 29.

When a phrase similar to “at least one of A, B, or C” or “at least one of A, B, and C” is used in the claims, Applicants intend the phrase to mean any of the following: (1) at least one of A; (2) at least one of B; (3) at least one of C; (4) at least one of A and at least one of B; (5) at

least one of B and at least one of C; (6) at least one of A and at least one of C; or (7) at least one of A, at least one of B, and at least one of C.

The claims of the present application are different and possibly broader than the claims pursued in the parent or related applications. To the extent any amendments or characterizations of the scope of any claim or referenced art could be construed as a disclaimer of any subject matter supported by the present disclosure, Applicants hereby rescind and retract such disclaimer. Accordingly, the references construed in the parent or related applications may need to be revisited.

Applicants respectfully submit that the pending claims are in condition for allowance. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **19-2814**. Applicants invite the Examiner to telephone the undersigned, if the Examiner has any questions regarding this Reply or the present application in general.

Respectfully submitted,

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By: 

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